

## **Executive Summary of the Nonpartisan Staff Study: Standard Water District Enabling Legislation**

On June 30 1995, the Joint Standing Committee on Utilities and Energy requested the Legislative Council approve a study by its nonpartisan staff to develop “boiler plate water district charter language which could be enacted into general law and which would thereby standardize water district creation” (see Appendix A). The Council approved the study on August 2, 1995 (see Appendix B).

As directed by the study request, the author worked in consultation with Senator John Cleveland of the Utilities and Energy Committee to develop and draft water district charter enabling legislation; the draft is attached as Appendix C. The text of this report briefly explains how the draft is structured and how various provisions relate to certain existing provisions of law. The report highlights provisions of the draft which vary from standard charter language. Attached as Appendix D is a sample charter which provides a model of what new charters would look like if the draft enabling legislation were enacted.

On November 29, a first draft of the enabling legislation was distributed for comment to the following individuals, who volunteered to provide comments and whom the author wishes to thank for their assistance:

Steven Levy, Executive Director, Maine Rural Water Association  
David Michiewicz, President, Maine Water Utilities Association  
Brian Cornwall, staff, Public Utilities Commission  
Carol MacLennon, staff, Public Utilities Commission  
Ray Hammond, staff, Public Utilities Commission  
Grant Siwinski, staff, Public Utilities Commission

On December 11, suggested modifications to the draft offered by Senator Cleveland were distributed to these individuals. Useful comments were received from all reviewers on the draft and Senator Cleveland’s proposed modifications. Suggested changes of a non-substantive nature which improved clarity have been incorporated in the draft; no particular discussion of these changes is included in this report. All substantive comments are discussed in the report.

On January 2, a draft of this report was distributed to the same individuals. Several additional useful editorial comments on the enabling legislation were received in time to be incorporated into the draft. The author notes, however, that Mr. Levy and Mr. Michiewicz provided further comments on the enabling legislation on the afternoon of the day before this document was scheduled to be sent to print (February 2). Due to lack of time, the author was not able to discuss these comments in this report.

